

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
In re VEECO INSTRUMENTS, INC. : Case No.: 7:05-md-01695 (CM)  
SECURITIES LITIGATION :  
----- X  
----- X  
THIS DOCUMENT RELATES TO :  
ALL ACTIONS :  
----- X

**DECLARATION OF JEFFREY L. OSTERWISE IN SUPPORT  
PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS  
CONCERNING VEECO'S INTERNAL INVESTIGATION**

**REDACTED**

**(ORIGINAL UNREDACTED VERSION FILED UNDER SEAL PURSUANT  
TO CONFIDENTIALITY ORDER DATED MAY 16, 2006)**

Jeffrey L. Osterwise, hereby declares as follows:

I, Jeffrey L. Osterwise, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an associate of the law firm of Berger & Montague, P.C., lead counsel for Plaintiffs in this litigation.
2. I submit this Declaration in support of Plaintiffs' Motion To Compel Production of Documents Concerning Veeco's Internal Investigation.
3. Attached hereto as Exhibits are true and correct copies of the following:

<u>Exhibit No.</u>	<u>Description</u>
A	Plaintiffs' First Request for Production of Documents Directed to All Defendants, dated April 6, 2006.
B	Press Release of Veeco Instruments, Inc. dated February 11, 2005.
C	Press Release of Veeco Instruments, Inc. dated March 16, 2005, and Veeco Form 8-K filed March 16, 2005 with same press release attached.
D	<b>REDACTED</b>
E	<b>REDACTED</b>
F	Press Release of Veeco Instruments, Inc. dated March 15, 2005.
G	<b>REDACTED</b>

H

Article dated March 18, 2005 published on compoundsemiconductor.net titled "Veeco accounts investigation reveals no fraud."

I

**REDACTED**

J

Objections and Responses by Defendants Veeco Instruments, Inc., Edward H. Braun, John F. Rien, Jr., and John P. Kiernan to Plaintiffs' First Request for the Production of Documents.

Dated: August 21, 2006



\_\_\_\_\_  
Jeffrey L. Osterwise